



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 74644
27 September 2013

MuckRock News
DEPT MR 6588
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Morisy:

This is an initial response to your Freedom of Information Act (FOIA) request submitted via the Internet on 1 September 2013, which was received by this office on 3 September 2013, for "a copy of NSA's FOIA log for requests received between Jan 1, 2013 and the date this request is processed. I also request any memos, updates, or other communications to the NSA's FOIA staff regarding the increase in the office's number of FOIA requests." Your request has been assigned Case Number 74644. This letter indicates that we have begun to process your request. There is certain information relating to this processing about which the FOIA and applicable Department of Defense (DoD) and NSA/CSS regulations require we inform you.

Your request has been processed under the provisions of the FOIA. For purposes of this request and based on the information you provided, you are considered an "all other" requester. As such, you are allowed 2 hours of search and the duplication of 100 pages at no cost. We are not able to determine fees at this time; therefore, we have not addressed your request for a fee waiver.

We have completed our search for records responsive to your request. In response to the first part of your request for copies of the NSA FOIA logs, please be advised that we generate our FOIA logs on a quarterly basis at the end of each quarter. The FOIA logs for the first two quarters of CY2013, covering 1 January through 30 June 2013, are currently in our review queue. We will generate the third quarter log after the end of the quarter (30 September 2013). This log will also be placed in the review queue. Since we have several other requests pending review for our FOIA logs, your case will be processed with the previous requests.

In response to the second part of your request regarding communications to the NSA FOIA staff related to any increase in the number of FOIA requests, we have identified one document that we were able to review quickly and provide to you with this response. That document is enclosed. Certain information, however, has been deleted.

Information which would reveal NSA/CSS functions and activities and names of NSA/CSS employees have been deleted from the enclosure. These deletions are exempt from disclosure pursuant to the third exemption of the FOIA, which provides for the withholding of information specifically protected from disclosure by statute. The specific statute applicable in this case is Section 6, Public Law 86-36 (50 U.S. Code 3605, formerly 50 U.S. Code 402 note).

In addition, some of the information has been deleted from the enclosure pursuant to the fifth exemption of the FOIA. This exemption applies to inter-agency or intra-agency memoranda or letters which would not be available by law to a party in litigation with the agency, protecting information that is normally privileged in the civil discovery context, such as information that is part of a predecisional deliberative process.

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. Since these deletions may be construed as a partial denial of your request, you are hereby advised of this Agency's appeal procedures. Any person denied access to information may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days from the date of the initial denial letter. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJ4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

The remaining material responsive to the second part of your request also requires review prior to release and has been placed in the first-in, first-out processing backlog queue. Because there are a significant number of cases ahead of yours in the backlog queue, we are unable to respond to your request within 20 days. We appreciate your patience with our efforts to treat all requesters fairly by responding to each on a "first-in, first-out" basis. We will respond to you again as soon as we are able.

There are no search fees associated with the processing of this request, since the search was able to be completed within 2 hours. We are unable to determine whether there will be assessable duplication fees since one of the FOIA Logs has not yet been generated, and we cannot determine the number of releasable pages of the other documents until processing is complete. If we expect there to be duplication fees, we will review your fee waiver request and will advise you prior to completing your request.

Correspondence related to your request should include the case number assigned to your request, which is included in the first paragraph of this letter. Your letter should be addressed to National Security Agency, FOIA Office (DJ4), 9800 Savage Road STE 6248, Ft. George G. Meade, MD 20755-6248 or may be sent by facsimile to 443-479-3612. If sent by fax, it should be marked for the attention of the FOIA office. The telephone number of the FOIA office is 301-688-6527.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela N. Phillips".

PAMELA N. PHILLIPS
Chief
FOIA/PA Office